

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
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DATE FILED: 1/24/2020

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YASMIN DIAZ, :

Plaintiff, :

-against- :

CITY OF NEW YORK, NEW YORK CITY :
HEALTH AND HOSPITALS CORPORATION, :
individually and d/b/a Harlem Hospital Center, :
CYNTHIA BIVENS, individually and in her official :
capacity, VIVIEN SALMON, individually and in her :
official capacity, and CHARLES MOORE, :
individually and in his official capacity, :

Defendants. :
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1:19-cv-6126-GHW

ORDER

GREGORY H. WOODS, United States District Judge:

The Court has been informed that this case has settled. Accordingly, it is hereby ORDERED that this action be conditionally discontinued without prejudice and without costs; provided, however, that within thirty (30) days of the date of this Order, the parties may submit to the Court their own Stipulation of Settlement and Dismissal.¹ Otherwise, within such time Plaintiff may apply by letter for restoration of the action to the active calendar of this Court in the event that the settlement is not consummated. Upon such application for reinstatement, the parties shall continue to be subject to the Court's jurisdiction, the Court shall promptly reinstate the action to its active docket, and the parties shall be directed to appear before the Court, without the necessity of additional process, on a date within ten (10) days of the application, to schedule remaining pretrial proceedings and/or dispositive motions, as appropriate. This Order shall be deemed a final


¹ As explained in Rule 4(D) of the Court's Individual Rules of Practice in Civil Cases, the Court will not retain jurisdiction to enforce confidential settlement agreements. If the parties wish that the Court retain jurisdiction to enforce the agreement, the parties must place the terms of their settlement agreement on the public record.

discontinuance of the action with prejudice in the event that Plaintiff has not requested restoration of the case to the active calendar within such 30-day period.

The Clerk of Court is further directed to terminate all pending motions, adjourn all remaining dates, and to close this case.

SO ORDERED.

Dated: January 24, 2020
New York, New York



GREGORY H. WOODS
United States District Judge